

REMARKS

Applicants have amended independent claims 46 and 52 to define the present invention with more specificity. Specifically, the presently invention relates to a composition comprising a foam component, which comprises a mixture of polymeric material and active ingredients as claimed. Support for this amendment is found in Claim 53 and the specification. Claims 53 and 62-63 have been canceled. No new matter has been added by this amendment. Entry is believed to be proper and respectfully requested.

Upon entry of this amendment, Claims 46-52 and 54-61 are pending. No additional claim fee is due.

REJECTIONS & OBJECTIONS

Claim Rejections under 35 USC §103 over Albert or Bastioli et al.

The Examiner rejects Claims 23-45 under 35 USC 103(a) as being unpatentable over any one of Albert (US 3,695,989) or Bastioli et al. (US 5,736,586 for reasons of record in the previous Office Action dated September 17, 2003, wherein the Examiner states that Albert discloses foam made of primarily polyvinyl alcohol which performs in the manner called for in the claims. The Examiner also states that Bastioli et al. discloses a foam composition containing primarily of water soluble polysaccharides and a plasticizer. The Examiner concludes that these compositions/foams would also be stable in air and inherently unstable in water. In this Final Office Action, the Examiner further states that the water soluble foam polymer of Albert can contain particles of active ingredients call for in the instant case and Bastioli et al. discloses microcapsules containing active ingredients such as flame retardants.

The presently claimed invention is directed to a composition comprising a foam component, which comprises a polymeric material and an active ingredient as claimed, in the form of particle, sheet or encapsulate.

Albert discloses water-soluble foam plastic package which is made into a bag from pieces of films and sealed around the edges (see Col 3, lines 51-60); inside of the package can be filled with actives, such as laundry bleaches, caustic cleaning powders, agricultural chemicals (Col. 4, lines 11-18).

Applicants submit that Albert does not teach or suggest an active ingredient as part of the foam component (see page 16-17, the physical foam and the chemical foam wherein the actives are added during foam making steps).

Bastioli et al. discloses compositions containing polysaccharides, which are first extruded into foamable pellets, and upon foaming, they can be used as loose fillers for packaging (see Col. 5, line 66-Col. 6, line 16, and Col. 2, line 46). Bastioli also discloses that the foam composition can

contain actives, such as flame retardants or rodent repellents (Col. 5, lines 31 and 51), as well as plasticizers and polyvalent elements (Col. 5, lines 5 and 16).

Applicants submit that Bastioli does not teach or suggest a foam component comprising the active ingredients as claimed.

With respect to claim 42, none of the cited references teach or suggest an absorbent article comprising the composition of the present invention.

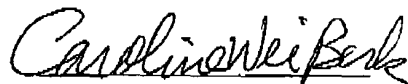
Based on the foregoing, Applicants respectfully submit that the cited references fail to establish a *prima facie* case of obviousness. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejections.

CONCLUSION

Applicant believes the present amendment is fully responsive and places Claims 46-63 in condition for allowance.

In the event that issues remain prior to allowance of the noted claims, the Examiner is invited to call Applicant's undersigned attorney to discuss any remaining issues.

Respectfully Submitted,
FOR: Corrand et al.



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May 24, 2004
Customer No. 27752